

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RAY WILLIAMS

Plaintiff,

-v.-

9:06-CV-0178
(DNH)(RFT)

R. CALIDONNA, Assistant Food Service Director,
Midstate Correctional Facility, *et al.*,

Defendants.

APPEARANCES:

RAY WILLIAMS

99-A-6603

Plaintiff, *pro se*

River View Correctional Facility

P.O. Box 247

Ogdensburg, New York 13669

RANDOLPH F. TREECE, U.S. MAGISTRATE JUDGE

ORDER

On February 9, 2006, *pro se* Plaintiff Ray Williams commenced this action by filing a civil rights Complaint. Dkt. No. 1, Compl. Plaintiff paid the required filing fee at that time. By Order, filed March 21, 2006, the Court approved the Complaint for filing. Dkt. No. 2. The Court also directed that Plaintiff was responsible for effectuating service upon Defendants. *Id.*

Presently before the Court is Plaintiff's Application to Proceed *in Forma Pauperis*.¹ Dkt. No. 5. After a review of the file, the Court finds that Plaintiff may properly proceed with this matter *in forma pauperis*.

¹ Although Plaintiff already paid the filing fee in full, obtaining *in forma pauperis* status would allow Plaintiff to apply for certain benefits in the future such as service of process by the U.S. Marshal Service, and appointment of counsel. Therefore, the application for *in forma pauperis* status will be considered herein.

WHEREFORE, it is hereby

ORDERED, that Plaintiff's *in Forma Pauperis* Application is GRANTED.² The Clerk shall issue Summons and forward them, along with copies of the Complaint, to the United States Marshal for service upon Defendants. The Clerk must forward a copy of the Summons and Complaint by mail to the Office of the New York State Attorney General, together with a copy of this Order; and it is further

ORDERED, that a response to Plaintiff's Complaint be filed by Defendants or their counsel as provided for in the Federal Rules of Civil Procedure after service of process on Defendants; and it is further

ORDERED, that the Clerk serve this Order on Plaintiff.

IT IS SO ORDERED.

Date: May 5, 2006
Albany, New York



RANDOLPH E. TRECE
United States Magistrate Judge

² Plaintiff should note that although the Application to Proceed *in Forma Pauperis* has been granted, Plaintiff will still be required to pay fees that he may incur in this action, including but not limited to copying and/or witness fees.